

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA

DOCKET NO. 2002-253-C - ORDER NO. 2002-867

DECEMBER 20, 2002

IN RE: Petition of BellSouth Telecommunications, Inc. for Declaratory Order Regarding Nextel's Service Request.	) ) ) )	ORDER GRANTING ✓ PETITION TO INTERVENE OUT OF TIME
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This matter comes before the Public Service Commission of South Carolina ("Commission") on the Petition to Intervene Out of Time filed by Verizon Telecommunications, Incorporated ("Verizon").

On July 25, 2002, BellSouth Telecommunications, Inc. ("BellSouth") filed a Petition for Declaratory Order in which BellSouth requested that the Commission interpret Section A35.1.1 of BellSouth's General Subscriber Services Tariff and determine whether the provision of trunking by BellSouth associated the NPA/NXX that Nextel has assigned to the Moncks Corner rate center, which is served by Home Telephone Company, is in compliance with BellSouth's tariff. Thereafter, the Commission's Executive Director instructed BellSouth to publish a prepared Notice of Filing regarding BellSouth's Petition. In response to the Notice of Filing, several parties intervened in the proceeding.

In addition, two of the parties requested that the Commission hold the instant matter in abeyance pending a ruling from the Federal Communications Commission

(“FCC”) on Petition for Declaratory Ruling Regarding the Routing and Rating of Traffic by ILECS filed by Sprint at the FCC. The Sprint petition before the FCC was filed prior to the time that BellSouth filed the Petition in the instant docket with the Commission and Sprint’s FCC petition seeks a declaratory ruling of the current rules and regulations pertaining to an ILEC’s obligation to honor the routing and rating point CMRS carriers designate for their NXX codes – the same issue raised in BellSouth’s Petition. By Order No. 2002-825, dated December 9, 2002, the Commission granted the motions to hold the instant matter in abeyance pending a ruling by the FCC on the pending Sprint petition.

On December 3, 2002, Verizon filed a Petition to Intervene Out of Time by which Verizon seeks formal intervenor status in the proceeding. By its Petition to Intervene Out of Time, Verizon asserts that the Commission’s decision in the instant docket may affect Verizon.

Based upon the foregoing, the Commission finds and concludes that:

1. Verizon’s Petition to Intervene Out of Time should be granted as Verizon has provided an explanation showing sufficient interest in the proceeding which cannot be adequately represented by any other party. Further, and as the instant matter has been held in abeyance by Commission Order No. 2002-825, the Commission discerns no prejudice to any party by granting Verizon’s Petition to Intervene Out of Time.

2. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:



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Mignon L. Clyburn, Chairman

ATTEST:



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Gary E. Walsh, Executive Director

(SEAL)